



General Assembly

January Session, 2007

Raised Bill No. 1322

LCO No. 4708

04708_____HED

Referred to Committee on Higher Education and Employment
Advancement

Introduced by:
(HED)

***AN ACT CONCERNING A STUDENT LOAN REPAYMENT
ASSISTANCE PROGRAM FOR PUBLIC DEFENDERS AND
PROSECUTORS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) There is established a
2 student loan repayment assistance program which shall be
3 administered by the Chief Public Defender and Chief State's Attorney.

4 (b) The program established pursuant to subsection (a) of this
5 section shall provide student loan repayment assistance to attorneys
6 employed full time by the Division of Public Defender Services as
7 public defenders and attorneys employed full time by the Division of
8 Criminal Justice as prosecutors. Any such attorney may apply at such
9 time and in such manner as prescribed by the Chief Public Defender
10 and Chief State's Attorney and shall be eligible for repayment
11 assistance for loans eligible pursuant to subsection (c) of this section
12 commencing the first full month following the second anniversary of
13 such employment.

14 (c) (1) An applicant for loan repayment assistance under the

15 program shall execute a release allowing either the office of the Chief
16 Public Defender or the office of the Chief State's Attorney, as
17 appropriate, to contact lenders of loans approved pursuant to
18 subdivision (2) of this subsection.

19 (2) The Chief Public Defender and the Chief State's Attorney shall
20 determine which loans of an applicant are eligible for repayment
21 assistance. Any such loans shall be: (A) A loan made, insured or
22 guaranteed under (i) Part B of Title IV of the Higher Education Act of
23 1965, 20 USC 1071 et seq., as from time to time amended, (ii) Part D or
24 E of Title IV of the Higher Education Act of 1965, 20 USC 1087 et seq.,
25 as amended from time to time, or (iii) Section 428C or 455(g) of the
26 Higher Education Act of 1965, 20 USC 1078-3 and 20 USC 1087e(g), as
27 from time to time amended, to the extent such loan was used to repay
28 (I) a Federal Direct Stafford Loan, (II) a Federal Direct Unsubsidized
29 Stafford Loan, or (III) a loan made under Section 428 or 428 (H) of the
30 Higher Education Act of 1965, as from time to time amended, and (B)
31 (i) in the case of an applicant who is a public defender, a loan made to
32 pay costs associated with the applicant's education in pursuit of a Juris
33 Doctorate or any other degree required in pursuit of the Juris
34 Doctorate degree, as determined by the Chief Public Defender, or (ii)
35 in the case of an applicant who is a prosecutor, a loan made to pay
36 costs associated with the applicant's education in pursuit of a Juris
37 Doctorate degree or any other degree required in pursuit of the Juris
38 Doctorate degree, as determined by the Chief State's Attorney.

39 (d) (1) In order to receive loan repayment assistance pursuant to this
40 section, a participant shall apply for any other available source of loan
41 repayment assistance for the loans approved pursuant to subsection (c)
42 of this section.

43 (2) Not later than (A) October fifteenth for payments made in July,
44 August and September, (B) January fifteenth for payments made in
45 October, November and December, (C) April fifteenth for payments
46 made in January, February and March, and (D) July fifteenth, for

47 payments made in April, May and June, the participant in the loan
 48 program shall submit quarterly receipts of loan payments and receipts
 49 of loan repayment assistance from any other source, if any, to the Chief
 50 Public Defender or the Chief State's Attorney, as appropriate. The
 51 participant shall, upon the initial submission of payments for any loan
 52 described in subparagraph (B) of subdivision (2) of subsection (c) of
 53 this section, supply proof that the loan was made in accordance with
 54 said subparagraph (B), as determined to be adequate by the Chief
 55 Public Defender or the Chief State's Attorney, as appropriate. The
 56 quarterly receipts shall show the amount and date of payment for a
 57 loan approved pursuant to subsection (c) of this section, identification
 58 of such loan, the account number to which payments were credited
 59 and complete identifying information of the lender, including, but not
 60 limited to, the address to which payments may be made.

61 (3) The Chief Public Defender or the Chief State's Attorney, or their
 62 designees, who employ the participant, shall approve all payments of
 63 loan repayment assistance made pursuant to this program. Payments
 64 made to participants in the program shall not exceed five hundred
 65 dollars per month and the amount of monthly payments to any
 66 participant shall not exceed a total of forty thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2007	New section
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Statement of Purpose:

To provide loan assistance repayment for public defenders and prosecutors in order to encourage diversity in the recruitment and retention of qualified attorneys.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]